

HOUSE BILL 353
By Newton

AN ACT to amend Tennessee Code Annotated, Title 49,
Chapter 4, Part 9, relative to postsecondary
financial assistance from lottery proceeds.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-4-914(a), is amended by deleting the language "2004-2005" in the second sentence of the subsection and substituting instead the language "2005-2006" and by adding the following sentence between the first and second sentences:

Subject to the amounts appropriated by the general assembly and any provision of law relating to a shortfall in funds available for postsecondary financial assistance from the net proceeds of the state lottery, a Tennessee HOPE scholarship awarded to a student attending an eligible four-year postsecondary institution shall be four thousand dollars (\$4,000) for full-time attendance for the 2005-2006 academic year.

SECTION 2. Tennessee Code Annotated, Section 49-4-914(b), is amended by deleting the language "2004-2005" in the second sentence of the subsection and substituting instead the language "2005-2006" and by adding the following sentence between the first and second sentences:

Subject to the amounts appropriated by the general assembly and any provision of law relating to a shortfall in funds available for postsecondary financial assistance from the net proceeds of the state lottery, a Tennessee HOPE scholarship awarded to a student attending an eligible two-year postsecondary institution shall be two thousand dollars (\$2,000) for full-time attendance for the 2005-2006 academic year.

SECTION 3. Tennessee Code Annotated, Section 49-4-915(b), is amended by deleting the language “2004-2005” in the third sentence and by substituting instead the language “2005-2006” and by adding the following sentence between the second and third sentences:.

Subject to the amounts appropriated by the general assembly and any provision of law relating to a shortfall in funds available for postsecondary financial assistance from the net proceeds of the state lottery, the supplemental award for full-time students shall be two thousand dollars (\$2,000) for the 2005-2006 academic year.

SECTION 4. Tennessee Code Annotated, Section 49-4-916(f), is amended by deleting the language “2004-2005” in the third sentence and by substituting instead the language “2005-2006” and by adding the following sentence between the second and third sentences:

Subject to the amounts appropriated by the general assembly and any provision of law relating to a shortfall in funds available for postsecondary financial assistance from the net proceeds of the state lottery, the General Assembly Merit Scholar supplemental award for full-time students shall be two thousand dollars (\$2,000) for the 2005-2006 academic year.

SECTION 5. Tennessee Code Annotated, Section 49-4-902(32), is amended by deleting the words and punctuation “other similar courses.” and by substituting instead the language “other similar courses according to the uniform system of weighting of courses adopted by the state board of education under § 49-1-302(a)(18).”.

SECTION 6. Tennessee Code Annotated, Section 49-4-902, is amended by deleting item (31) in its entirety and by renumbering subsequent items appropriately.

SECTION 7. Tennessee Code Annotated, Section 49-4-907(3)(A), is amended by deleting the word “unweighted” and by substituting instead the word “weighted”.

SECTION 8. Tennessee Code Annotated, Section 49-4-920(a)(5), is amended by deleting the word “unweighted” and by substituting instead the word “weighted”.

SECTION 9. Tennessee Code Annotated, Section 49-4-909(a)(3), is amended by deleting the words "or a postsecondary institution located outside of Tennessee that is accredited by a regional accrediting association".

SECTION 10. Tennessee Code Annotated, Section 49-4-916(d)(2), is amended by deleting the first sentence of the subdivision and by substituting instead the following:

Such student shall apply for the general assembly merit scholarship in the year following graduation from high school and while the student is attending, as a freshman, an eligible postsecondary institution.

SECTION 11. Tennessee Code Annotated, Title 49, Chapter 4, Part 9, is amended by adding the following language as a new section:

§ 49-4-9__.

(a) To be eligible for a Tennessee HOPE scholarship as a transfer student from a regionally accredited postsecondary institution located outside of Tennessee, a student shall:

(1) Meet the requirements for a Tennessee HOPE scholarship that are applicable to the student for the method and date by which the student completed high school or the requirements applicable to student obtaining a GED, except any requirement that the student enroll in an eligible postsecondary institution no later than the fall semester immediately following completing high school or obtaining a GED;

(2) Be admitted to and enroll in a regionally accredited postsecondary institution located outside of Tennessee no later than fall semester immediately following completing high school or obtaining a GED;

(3) Maintain satisfactory progress in a course of study in accordance with the standards and practices used for federal Title IV programs by the regionally accredited postsecondary institution in which the student is enrolled;

(5) Meet the requirements of § 49-4-911 at every point at which eligibility for the continuation of a Tennessee HOPE scholarship is reviewed;

(6) Apply for a Tennessee HOPE scholarship while enrolled as a student at the regionally accredited postsecondary institution; and

(7) Be admitted to and enroll in an eligible postsecondary institution.

(c) A student who applies for a Tennessee HOPE scholarship under this section shall have been continuously enrolled at an out-of-state regionally accredited postsecondary institution or institutions prior to application. Any student who transfers to a Tennessee postsecondary institution without applying for a Tennessee HOPE scholarship shall be ineligible for the HOPE scholarship.

(b) A student receiving a HOPE scholarship under this section shall be eligible to receive the scholarship as provided in § 49-4-913.

(e) No retroactive award of a Tennessee HOPE scholarship shall be made under this section.

(f) If a student receiving a Tennessee HOPE scholarship under this section also meets the academic requirements for a general assembly merit scholarship that are applicable to the student for the method and date by which the student completed high school, then such student shall also receive the general assembly merit scholar supplemental award.

SECTION 12. The provisions of this act shall not be construed to be an appropriation of funds and no funds shall be obligated or expended pursuant to this act unless such funds are specifically appropriated by the general appropriations act.

SECTION 13. This act shall take effect upon becoming a law, the public welfare requiring it.